

September 30, 2002

**Public Notice for 401 Certification
Vintana IV Subdivision, Outfall Project, Starr Road, Windsor
(WDID No. 1B02097WNSO)**

Sonoma County

On June 26, 2002, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Mr. David Bradley (Ryder Companies, 1425 Treat Boulevard, Walnut Creek, CA 94928-2486) requesting Federal Clean Water Act (CWA) Section 401 Certification for the Vintana Subdivision Project. The application was deemed complete on July 24, 2002. The proposed project causes disturbances to waters of the United States associated with Starr Creek, a tributary to the Russian River via Windsor Creek and Mark West Creek.

The proposed project is located off of Starr road in Windsor, Sonoma County, California. APN 164-030-060. The purpose of the project is to install a site drainage outfall for the development of 150 homes in the southwest corner of the Vintana subdivision site. This development will discharge runoff to Starr Creek.

The proposed project consists of installing a 48" storm drain (i.e. closed bypass conduit) that will drain into a rip rap apron area approximately 20'x 30'. A graded grassy swale approximately 48" long and 5' wide will lead from the rip-rap area to a new confluence with Starr Creek. The riprap area and the grassy swale will be covered with native soils and revegetated with native freshwater marsh species (*Scripus* spp). The grassy swale will have 2:1 sideslopes that will be planted with native riparian tree species (*Salix* spp., *Fraxinus latifolia*, *Quercus lobata*). This proposal is consistent with the closed bypass conduit proposed in LSA's EIR, which will avoid significant impacts to the riparian corridor.

Temporary impacts will include 250 square feet of the bank of Starr Creek for placement of riprap. The total area of wetlands to be permanently filled is approximately 0.04 acre. A Mitigation and Monitoring Proposal has been developed to offset the impacts to wetlands.

Compensatory mitigation for the removal of all of the trees within the footprint of the outfall area and swale will include replanting of native riparian trees. A total of four Oregon ash and eight black oaks ranging from 8-26 inches in diameter will be removed. The trees lost as a result of the outfall construction will be replaced at a 3:1 ratio. Since a total of 12 trees will be lost, a total of 36 trees with additional shrubs will be replanted.

Non-compensatory mitigation measures include the use of Best Management Practices (BMPs) for erosion control and post-construction storm water treatment. Ryder Homes is proposing to implement the following measures to address the Regional Water Board's concerns about post-construction runoff:

- 1) Ryder will connect the down spouts to the curb with perforated pipe that will enable some runoff to filter back into the ground.
- 2) Ryder will install 12-15 feet of rip rap at the outfall to Starr Creek.
- 3) Ryder will also install a 40-50 foot grassy swale between the rip rap and Starr Creek.
- 4) Subject to approval by the Town of Windsor, Ryder will install a Bay Saver filter within the storm drain system.

The Army Corps of Engineers issued a CWA Section 404 Nationwide Permit No. 7 and 33. The Town of Windsor, as the lead California Environmental Quality Act (CEQA) agency, has determined that this project qualifies for a Negative Declaration pursuant to the California Environmental Quality Act (CEQA); Resolution No. 236-99.

The nearest receiving water is Starr Creek located in the Mark West Hydrologic Unit No. 114.23.

The outfall project is scheduled to begin October 2002 and end October 31, 2002. Staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341). In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this letter. If you have any questions or comments, please contact staff member Andrew Jensen at (707) 576-2683, or at jensa@rb1.swrcb.ca.gov within 21 days of the posting of this notice.